

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

Independent claims 29, 35, and 36 have been amended to further distinguish the present invention from the references relied upon in the rejections discussed below. In addition, new dependent claims 37-40 have been added.

Claims 29, 30, 32, 33, 35, and 36 were rejected under 35 U.S.C. § 102(e) as being anticipated by Anderson (U.S. 6,538,698). Further, claims 31 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Anderson and Miyasaka et al. (U.S. 5,493,647). These rejections are believed clearly inapplicable to amended independent claims 29, 35, and 36 and claims 30-34 and 37-40 which depend therefrom for the following reasons.

Amended independent claim 29 recites an imaging device for adding auxiliary information to digital data, wherein the imaging device includes, in part, an interface device, an information button, an imaging unit, and a digital data generation device. Claim 29 recites that (1) the information button is operable to input auxiliary information according to user operation. Further, claim 29 recites that (2) the digital data generation device is operable to combine, at a time when the auxiliary information is input and an image is captured by the imaging unit, the auxiliary information (received at the time) with first digital data (corresponding to the image captured at the time). The Anderson and Miyasaka references, or any combination thereof, fail to disclose or suggest the above-mentioned distinguishing features (1) and (2) as recited by independent claim 29.

Rather, Anderson teaches an image file 835 which includes capture information tags 710, user tags 715, product tags 720, and automatic category tags 735 (see col. 6, lines 53-62, and Fig. 6). Specifically, Anderson teaches that the user tag 715 includes “labels a user specified for a given image, often referred to as ‘stamps,’ such as ‘birthday’ or vacation,’ etc.” (see col. 5, lines 62-65).

Thus, in view of the above, it is clear that Anderson teaches a user tag including a user specified label, but does not disclose or suggest an information button operable to input auxiliary information according to user operation, as required by claim 29. In addition, although Anderson teaches a user specified label, it is clear that Anderson does not disclose or suggest combining, at a time when the auxiliary information is input and an image is captured by the imaging unit, (i) the auxiliary information received (from the information button) at the time with (ii) first digital data corresponding to the image captured at the time, as recited by claim 29. Therefore, because of the above-mentioned distinctions, it is believed clear that independent claim 29 is not anticipated by Anderson.

Further, because of the above-mentioned distinctions it is believed clear that independent claim 29 would not be obvious or result from Anderson. Furthermore, there is no disclosure or suggestion in Anderson or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Anderson to obtain the invention of independent claims 29. Accordingly, it is respectfully submitted that independent claim 29 and claims 30-34, 37, and 38 which depend therefrom are clearly allowable over the prior art of record.

Further, the Anderson and Miyasaka references were cited for teaching the features of dependent claims 31 and 34 in the above-mentioned 35 U.S.C. §103(a) rejection. However, any combination of the Anderson and Miyasaka references also fails to disclose or suggest the above-discussed features of independent claim 29 which are lacking from Anderson. Thus, for the same reasons discussed above, it is clear that the combination of Anderson and Miyasaka references fail to disclose or suggest the features of independent claim 29. Therefore, no obvious combination of Anderson and Miyasaka would result in, or otherwise render obvious the invention of claims 29-34.

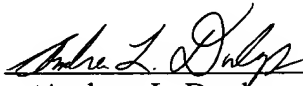
Amended independent claims 35 and 36 recite a method and program, respectively. Amended claims 35 and 36 recite features that correspond to the above-mentioned distinguishing features of independent claim 29 (e.g. auxiliary information, information button, timing of combining the auxiliary information with the first digital data). Thus, for the same reasons

discussed above, it is respectfully submitted that claims 35 and 36 and claims 39 and 40 which depend therefrom are allowable over Anderson and/or Miyasaka.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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